



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

AUG 8 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

Ms. Cheryl A. Burke
Distribution Safety Consultant
SHE Excellence Center, DuPont Building 6096
1007 Market Street
Wilmington, DE 19898

Dear Ms. Burke:

Enclosed is the 5th revision of DOT-E 9789. Please note that a modification to the exemption was made by this office to enhance the safe transportation of hazardous materials, by adding subparagraph d to paragraph 8, requiring the periodic retesting of tanks and rubber linings covered under this exemption.

Sincerely,

R. Ryan Posten
Exemptions Program Officer
Office of Hazardous Materials
Exemptions and Approvals



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400 Seventh Street, S.W.
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DOT-E 9789
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: E.I. DuPont de Nemours & Co., Inc.
Wilmington, DE
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of flammable liquid, corrosive, n.o.s. materials in DOT Specification portable tanks. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.243.
5. BASIS: This exemption is based on the application of E. I. DuPont de Nemours & Co., Inc., dated May 30, 2000, submitted in accordance with § 107.109.

AUG 8 2000

Continuation DOT-E 9789 (5th rev.)

Page 2

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Flammable liquids, corrosive, n.o.s.	3	UN2924	II

7. SAFETY CONTROL MEASURES:

PACKAGING - Packaging prescribed is a DOT Specification 57, rubber-lined portable tank.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

d. Each tank must be retested every 2 ½ years. The rubber lining must be retested every 5 years, in accordance with the procedure established in § 180.407(f) for cargo tanks.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

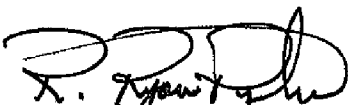
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

AUG 8 2000

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

AUG 8 2000

Continuation DOT-E 9789 (5th rev.)

Page 4

Copies of exemptions may be obtained from the AAHMS, U.S.
Department of Transportation, 400 7th Street, Washington, DC
20590-0001, Attention: Records Center, 202-366-5046.

PO: AM